MAC CONTROLLAR

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v.

Gerard Dogge Abtsdreef 10/bus1 B2940 Stabroek Belgium - Europe Gerard-Bakardy@hotmail.com Cell: 011.34.606.35.65.04.

Teller, an individual

an individual

Plaintiff.

Gerard Dogge (Gerard Bakardy),

Defendant.

2012 OCT 22 A 11: 20

Contract of BUVARA

MA _____ DEFUTY No Counsel - PRO - SE

> IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

21st of October 2012

CASE N° 2:12-cv-00591-JCM-GWF

Multiple Motions Concerning Defendants Pleadings

Honourable Judge James C. Mahan, Honourable Judge George Foley Jr.,

The Court can see in the by defendant filed documents and defence that I'm prepared to defend myself in the most respectful way, in your chamber. Concerning the expected pleadings I like to request the Court the following:

- Motion 1: Since the Court has witnessed that my English is very basic and to ensure that I can understand the sometimes difficult jargon used by the plaintiff and in Court in general, I respectfully request that the Court provides a translator-interpreter. In this way there is no violation to the rights of the defence.
- Motion 2: Respectfully I request the Court to permit the use of Video and Audio material in my pleadings. Both of course in a relevant way and to provide a true picture of the (phone) conversations that took place between the two parties.
- Motion 3: Respectfully I request the Court to allow the Plaintiff to be guestioned by the (pro-se) defendant. And if desirable, vice versa.

CASE Nº 2:12-cv-00591-JCM-GWF

Motion 4: In this time of crisis it is logic that defendant cannot afford
long stays abroad. Especially not in Las Vegas. One can expect, in this
delicate procedure, that the financially strongest will try 'to dry out' the
financially weakest. Usually done by regularly postponing. Therefore I
respectfully request the Court to set a time limit to the pleadings.

Motion 5: This is the most important request. To do my pleadings in Court, I must be alive. Preferably. Recently several threats arose. The moment Mr. Teller started this procedure, publicly, but even more after all the interviews given by Mr. Teller I suddenly start receiving threats by Emails and comments on the internet. Of such kind I've never received in my entire life, displaying hate and revenge, such as: ...chemo is wasted on you; ...say goodbye to your legs; ...make him disappear; Thief; Coward; etc... More than likely coming from fans of Mr. Teller and presumably triggered by the sympathy seeking interviews given by Mr. Teller. I'm 56, in my career I've performed in many places, for many people, for many years I've had a promotional website and for many I've had several video's on YouTube. But I've never been years threatened in my life before. By no one. Therefore I hope the Court can see why I'm worried and therefore I respectfully request the Court to inform me in which way the Court guarantees my security in and on my way to the Court.

Whit the deepest respect,

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Abtsdreef 10 /1 R2940 Stabrock Belgium - Europe

General Dosse

21th of October 2012 1 Gerard Dogge Abtsdreef 10/bus1 2 B2940 Stabroek Belgium - Europe 3 Gerard-Bakardy@hotmail.com Cell: 011.34.606.35.65.04. 4 No Counsel - PRO - SE 5 6 IN THE UNITED STATES DISTRICT COURT 7 Teller, an individual FOR THE DISTRICT OF NEVADA 8 Plaintiff. CASE Nº 2:12-cv-00591-JCM-GWF 9 v. 10 **DEFENSE** Gerard Dogge (Gerard Bakardy), 11 an individual for and by Gerard Dogge -Gerard Bakardy 12 Defendant. 13 Honourable Judge James C. Mahan, Honourable Judge George Foley Jr., 14 Forgive me for approaching the Court in this way, defending myself, and in poor 15 16 Enalish. I, Gerard Dogge, residing and working in Belgium - Europe, I'm not a lawyer, 17 and especially not an American lawyer, who can build up a procedure by referring 18 to complicated lawsuits from the past in the USA, unknown to the defendant. My 19 defense is based on common sense and logical honesty. 20 With the deepest respect for the Court I feel very embarrassed to see that the 21 American Justice is called upon by Teller to gain more profits in ticket sales by 22 starting a litigation against me, alleging that I have infringed copyright on a magic 23 trick with a tiny flower. I will prove to the Court and Jury that this is not the case. 24 25 I take note that Mr. Teller demands a trial by Jury, and it is obvious why. Teller is a celebrity, known by everyone in Las Vegas, and worshiped by many. 26 Although one may doubt this could be an obstacle for a fair trial, I have 27 28 confidence in Justice.

CASE N° 2:12-cv-00591-JCM-GWF

I would recommend that among the members of the Jury, there should be some 'copyright' specialists and preferably some magicians as well. Most people don't know the difference between a Patent and a Copyright, and could be confused when they see a Magic trick. I will do my best to make things clear to the Jury, both in my defense and in my pleadings.

I would like to draw the Courts attention to the **misleading and untrue** statements in the complaint filed by Mr. Teller.

- (page2-line4) "The Court jurisdiction is based on (a) Defendant conducts business in Nevada". This is wrong, The defendant has only visited Las Vegas for a week vacation, that's all. Gerard Bakardy has not any business in Nevada.
- (page2-line16) Defendant is doing business in the State of Nevada,
 County of Clark. This is wrong, and misleading the Court.
- 3. (page2-line22) P& Teller are famous for creating innovative magic tricks. This is but half true, as P& Teller build their career also by revealing many, many existing tricks (likewise The Masked Magician). Gerard Bakardy has, as up today, never revealed any trick.
- 4. (page5-line2) Plaintiff suggests that the defendant travelled to Las Vegas to see Tellers dramatic performance, Shadows. This is wrong, and based on nothing. I have never seen a 'live' performance from P&T. Like thousands of other people, I've only seen 'Shadows' on YouTube.

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CASE N° 2:12-cy-00591-JCM-GWF

- 5. (page5-line12) In fact...in the text beneath the defendants You Tube video defendant refers to P&T show performing a similar trick. In fact this is but half true and deliberately pulled out of context, the complete text beneath the video clarifies the differences between both tricks: "...Everything is separate and loose from each other, so how is this possible?.... and "now I'm very happy to share my version in a different and more impossible way with you, especially when the audience can see that the stem and vase filled with water can be removed from the table !.."
- 6. (page5-line11, 14) refers to Exhibit 3, This original exhibit contains incriminating screenshots taken by or on, Tellers request. Filed on behalf of Teller and on his responsibility. These screenshots are the subject in the defamation lawsuit filed by Gerard Dogge, in Antwerp-Belgium.

These very same screenshots have now been manipulated, changed and faked by the plaintiff and... filed again. By doing this, the plaintiff tried to remove the 'DNA' from the evidence. I did not know this was allowed.

Logically, the relevant screenshots should only refer to 'Bakardy's action to show or prove alleged infringements and nothing more than that. It is very remarkable that two of the screenshots are not restricted to just that, but show more information about the favorites bar with the most visited website links of the user of the Apple computer:

Such as: Stopwatch - plus - Highlights - CFSelect - Scale - FitPal - Netflix - Corbin - vedge - Tyler - mantube - Sean - pdny - Reviews - Twitter - 2 Long - etc ...

CASE N° 2:12-cv-00591-JCM-GWF

Four of the favorite web links in this selection are pornographic intended for a gay audience profile and show hardcore porn images for, by and with gay men. In particular CFSelect - Corbin - Mantube - 2 Long. Regardless of the fact that the websites often state that the 'actors' in the pictures and movies are older than 18, several times the very young age of these actors is suggested.

These screenshots, used and filed by Teller as exhibits, suggest on purpose that Gerard Bakardy is the one who visits the aforementioned web links, since his name and photograph are standing immediately below the web links. The hardcore porn web links on the screenshots contain very obscene images and several times the suggestion is given that the actors are very young and childlike.

By doing so, Teller suggests that Bakardy has pedophile tendencies. The screenshots do not mention that these were taken by Teller or his lawyer. The original screenshots used by Teller in the original official complaint, became public documents and can be seen by everyone, also by the media.

The screenshots are widely published on the World Wide Web internet.

In this way, Gerard Bakardy is now the subject in several forums being portrayed as a pervert. Teller is fully aware of this, as he changed the exhibits, but the damage to Bakardy (his true purpose) is realized.

7. (page5-line15) This whole chapter 24 .. mentions an intended advertisement and has NEVER been published. It was on Tellers request that I cancelled the advertisement because he wanted to buy the exclusive rights to my trick. On Tellers request I have sent him a copy of the intended advertisement.

CASE Nº 2:12-cv-00591-JCM-GWF

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- 8. (page6-line10) Plaintiff is suggesting that it was the defendant who approached him, trying to sell his trick for an unacceptable high price.
 This is wrong: Gerard Bakardy never approached Teller. It was Teller who approached Gerard Bakardy and was bidding to get exclusivity.
- 9. (page6-line27) The Plaintiff has taken all reasonable steps to secure his copyright... This is not true. The most logical thing to do when you have a copyright is.. to show it. Inform the world that your work is copyrighted. Easy, just use the © symbol. He never did.
- 10. (page7-line5) Plaintiff owns all rights and has done nothing to abandon the copyrighted work.. This is not true. For many years there are many more magicians doing exactly the same trick as Tellers 'Shadows'. Copies of this trick were sold, already years ago. Teller clearly abandoned his copyrighted work..
- 11. (page7-line16) Defendants past and present acts violate.. and constitute willful and intentional infringement.. Wrong and false.

 Defendant does not 'act' at all and awaits respectfully for the Courts Order. The only alleged violating action was when the defendant posted a YouTube video 'The Rose & her Shadow'. This video had 14 views only, and was removed by Teller after a few day's.
- 12.(page7-line19) Defendant realized unjust profits as a result of the infringement. This is based on nothing as the defendant did not realize any profit.

CASE N* 2:12-cv-00591-JCM-GWF

13. (page7-line21) As evidenced by defendant's copying, public performance, display and prominent use of plaintiff's protected work...
Based on nothing, the defendant never performed, published, displayed, sold, etc.. and did not 'gain' a single dollar. The defendant prefers to wait for a judgment with respect for the Court.

14.(page7-line25) Plaintiff has suffered, irreparable injury, etc.. This must be a JOKE as plaintiff declares in several press interviews that this Court case brings more ticket sales to the P& Teller shows. Anyone can

see, and notice that P& Teller got a 'free' publicity boost.

Although.. 'free' ?? The exhibits filed by Mr. Teller, causing an immense defamation to Gerard Bakardy, do have a price. The life of Gerard Bakardy – Gerard Dogge is ruined. Both professionally and personally.

- 15. (page8-line12) Defendant's use in commerce is confusingly similar ...

 This is in contrast to other statements made by plaintiff, which states in the media that the defendant's trick is different from Tellers..
- 16. (page8-line20) Defendant has the knowledge that plaintiff owns 'Shadows'... This is based on nothing: how could someone know that Teller 'owns' a magic trick, how could someone expect that the libertarian Teller would turn out to be a hypocrite, especially when he performs shows all over the world, provoking and challenging all magicians to fool him. In the 'Shadows' video he threatens or challenges everyone, by stating: "Nobody knows how it's done and no one will figure it out.. but that doesn't matter.." The question now to ask is: Why is this not important.. Why doesn't it matter...?

1 CASE N° 2:12-cv-00591-JCM-GWF Was Mr. Teller just waiting until someone figured it out? So he could 2 start a litigation procedure. The defendant saw this as a challenge and 3 did figure it out, and re-invented and improved an almost 40 years old 4 trick. The defendant brought it to an higher level by inventing a new 5 prop which reaches further than Teller ever did with 'Shadows'. That's 6 why Teller offered money for exclusivity. This also means that Teller 7 cannot perform or explain Bakardy's trick. 8 9 17. (page8-line25) As a result of such unfair competition, plaintiff suffers... 10 11 This must be the second Joke, or a lack of confidence, which I doubt. There is no competition to Teller. 12 And certainly not by Bakardy's performance, in any way. The defendant, 13 Gerard Bakardy is just a beginner. It's not Teller who suffers. The 14 15 defamation caused by Teller creates suspicion that Bakardy is a pedophile, and the evidence brought forward by Teller has a much 16 bigger impact than the alleged infringement of copyright on a ridiculous 17

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For so far my reply to some statements made by Plaintiff in his complaint.

magic trick, meant to entertain kids. This is not a Joke.

Further I stress to prefer to convince the Jury and Court with my pleadings in Court which will be based on the evidence, filed hereby as exhibits.

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CASE N* 2:12-cv-00591-JCM-GWF

My pleadings in Court will clarify and prove to the Jury and Court that:

- · There is no infringement on Plaintiff's copyright.
- There is a huge difference between Plaintiff's 'Shadows' trick and Defendants 'The Rose and her shadow' trick.
- Defendant is acting in good faith.
- Plaintiff acts with malicious intent.
- Plaintiff is reckless and provocative.
- Plaintiff's copyright is doubtful.
- The alleged damage, suffered by the Plaintiff is doubtful in contrary to the damages suffered by defendant and caused by Plaintiff.
- Defendant suffers a massive irreparable damage.
- The damage caused by Teller is bigger than expected and affects more people than just Bakardy.

Overall conclusion.

Defendant believes that there is only one conclusion to make:

The reason for the debate, which has led to a court proceeding, is absurd, ridiculous and most of all decadent.

In this times of war, crisis, crime, drugs, murder, etc., it is really embarrassing to use, or, as the complaint of Teller does, to abuse the American legal system and American Courts (all paid by the state or taxpaying citizen) to settle a dispute about a magical trick with a tiny flower. Defendant believes that the Court was meant for other, more important, disputes.

Defendant's magic trick was made with just one intention: entertainment for families and children to enjoy. Magicians are like clowns, they only serve to entertain. Obviously stealing from each other is out of the question, and this has not happened here.

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CASE N° 2:12-cv-00591-JCM-GWF

Teller could have bought Bakardy's magic trick, just like any other magician, but he was not satisfied with this. He wanted exclusivity. But Teller did not want to pay for it. At the moment he realized he could not buy the exclusive rights to Bakardy's trick, on the price he had in mind, Teller subsequently began this procedure, in one effort and deliberately starting a smear campaign against Bakardy, using the most unusual and unscrupulous documents suggesting that Bakardy is a pervert. Despite several attempts from Bakardy to come to an agreement outside the Court and outside the media, Mr. Teller chose to fight 'a magic war', publicly in the media and in Court. This leaves Bakardy no other option than to defend himself.

The procedure itself is absolutely not absurd or ridiculous. Rather serious. The shameful documents give an unexpected twist on a 'copyright' dispute. This procedure will not ruin Bakardy: Bakardy is already ruined by Teller ...

To avoid further waste of money and needless time on an unnecessary trial and expensive traveling costs I would like the Court and the jury to watch a video on YouTube. It's called 'The Bakardy Rose', posted by Gerard Bakardy.

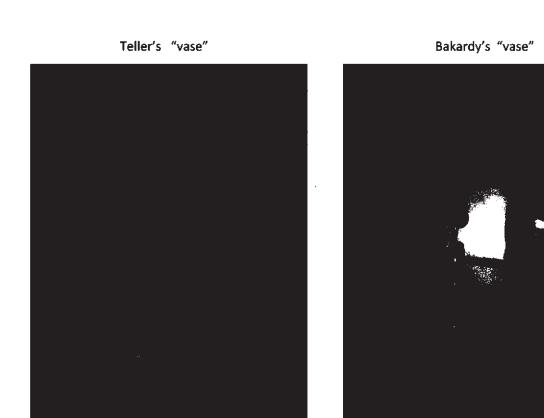
http://www.youtube.com/watch?v=rkq4XfFgCYs&feature=channel&list=UL.

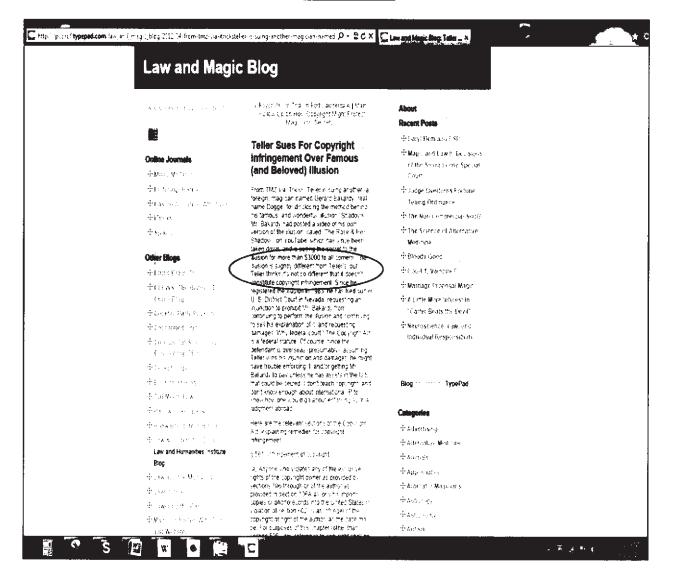
In this video Bakardy uses the same 'prop' as in 'The Rose & Her Shadow' video. It will become clear, especially in the last 2 minutes of the video, that Bakardy's prop reaches far more further than Tellers. Teller has never performed "Shadows' in a transparent vase or bottle, he never showed the complete rose stem, he never removed the stem, he never showed what's in his white 'bud' vase. Because he can't... that's what Mr. Teller said in his first phone call to Bakardy. And that's why Mr. Teller (still) wants to buy the exclusive rights to Bakardy's trick.

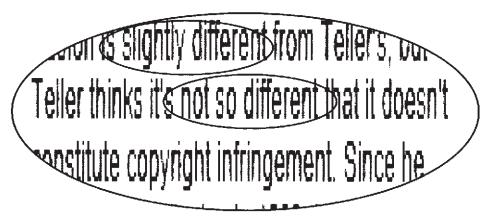
Thus, the whole 'copyright infringement' procedure was started for a simple and different reason: to 'kill' a better trick than Tellers.

CASE N° 2:12-cv-00591-JCM-GWF Therefore defendant respectfully requests for a judgment to: Reject plaintiffs copyright complaint Reject plaintiffs total prayer for relief. Condemn plaintiff to pay for the Court costs. Condemn plaintiff to pay for the costs of the defense. Condemn plaintiff to make a public apology to the legal system, Courts and State. Apologizing for his reckless and provocative action, which only costs money to the society. With the deepest respect, I could have filed about 200.000 exhibits, such as screenshots showing a minute by minute history of the visitor counter on a forum. They would show that are visiting a forum with links to the about 240 people per minute incriminating exhibits, filed by Mr. Teller. (see exhibit 28).

Number of exhibits filed: 29.







Teller Penn & Teller
 Aan gerard bakardy

20/04/2012 Seantwoorden •

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Dear Gerard

I have expressed my wish that this could all be avoided.

I cannot allow you to further damage my creation and act by your selfish act of infringement.

I made you a generous offer to stop and you threatened more damaging sales.

If you wish to resolve this, we can, but you must not threaten me further and you must act reasonably and in good faith.

When you changed your story to me about seeing me perform the act in person, that suggested that you were not acting in good faith.

Please suggest what action you are willing to take to resolve this, and we can consider it.

Your last demand of \$125,000 or threat of sales is unreasonable and not good faith.

Sincerely,

Teller

• gerard bakardy

Aan Teller Penn & Teller

11/04/2012 Beantwoorder +

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Hello Mr. Teller,

Those everything is good with you.

Tregret not receiving any news from you, especially since you told me in the last phone conversation, on April 6th, that you would like to end this situation and would decide whit in a couple of days which way you want to go.

It is actually very simple, or I sell my apparatus exclusively to you, or I sell my apparatus to the whole world. In the last case of course I will inform the buyer NOT to use the Teller Routine.

Since you don't send me the exact detail from your 'copyrights' (I asked all ready four times) I conclude that you are scared to send me these. However, I tell you once again I will do respect your routine and use a different one, where I don't use any shadow or knife.

People are calling me every day, asking me when they can expect delivery and telling me that they are happy to use the apparatus in a different way from the Teller Routine. I promised them to answer on the end of this week.

Mr. Teller, I think it's fair to say that if I don't receive any news from you before April 13th, I may conclude that you're not interested in the apparatus, and that you're aware that I will start selling to public.

Respectfully, Gerard Bakardy.

Teller Penn & Teller
 Aan Gerard Bakardy, Gerard Bakardy

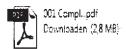
€ 12/04/2012
 Beantwoorden •

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1 bijlage (2.8 MB)

Hotmail Interactieve weergave



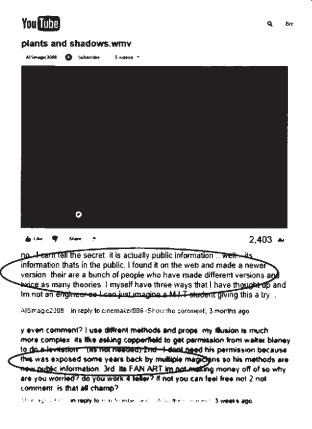
Downloaden als zip

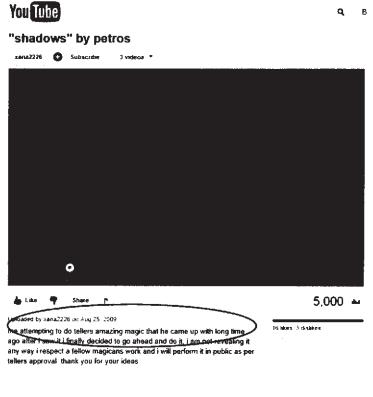
Dear Gerard,

Thanks for your email yesterday. You said on the phone that I was a businessman. Your note has forced me to behave like one.

So yesterday, after I received your note. I had my attorney file the attached copyright action with Federal court in Las Vegas. As a courtesy to you, I attach it here.

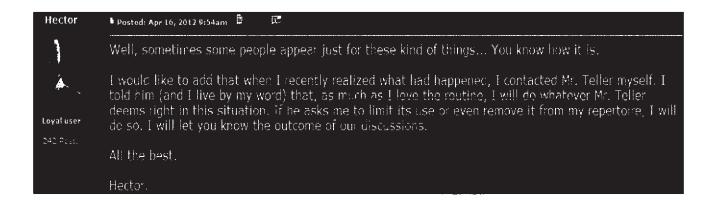
It includes screen shots of your YouTube advertisement. It includes my original copyright papers you have been so eager to see. It requires you come to Las Vegas at your expense to defend yourself, as you said you'd be happy to do.













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Teller Penn & Teller
 Aan Gerard Bakardy, Gerard Bakardy

15/04/2012 Beantwoorden +

Dear Gerard.

Thanks for your email.

I am not sure what you are asking me to reconsider. You threatened to start selling your infringing work by Friday 13 April 2012, if I did not meet your financial terms. Your YouTube posting was your first infringement. And then you threatened to cause me further damage by future sales. You left me no choice but to protect my creation and enforce my rights.

It now seems clear to me you may not understand Copyright Law or *Droit Moral*. I suggest you retain an attorney who is knowledgable is these areas, and in U.S. law in particular. An attorney will inform you that your prior infringement can be punished by a damage award of up to \$150,000. Since you posted two videos, that could amount to up to \$300,000 *on the previous infringements alone.* As I had a Registered Copyright when you infringed, I will also be entitled to receive my attorney's fees and costs back when I prevail in court. I have further damages on my other claim as well.

If you want to resolve this, then please **tell me what you propose.** I go not intend to haggle further.

Remember: Even though you infringed upon my creation, nevertheless I was initially willing to resolve it without litigation -- and, in my view, very generously. You choose to push things and threaten me with releasing your knock-off trick to the world if I did not agree with your demand based upon your projection of profits from your sales. That is not the action of an innocent person.

If you want a resolution, please propose one-

Otherwise, be prepared to defend your actions in court.

Sincerely.

TELLER

Case 2:12-cv-00591 Document 1-3 Filed-04/41/12 Page 2 of-4 ---

Britto / /www.youtube.com/watch?v=817817NIGBSY

Live now: Culte performing at the SXSW feebval in Austin.

You Tube

Q Browse M

The Rose & her Shadow in Close up ! - Gerard Bakardy



pervise to Consumerate or Mail 17, 2012.

The magician cuts one by one the leaves from a rose—in her shadow ! But it happens in resity on the real rose which is standing 2 meters away from her shadow. Everything is separate and toose from each other, so how is this possible? This is the most Magicial inimants, and beautiful flusion. Is now the seen the great Penn 8. Teller performing a similar trick and now tim very happy to share my version in a different and more impossible way with you. It is so magicial to manipulate a shadow! The audience is so supplied especially when they see that the stem and view filled with waver are

removed from the table ! In combination with the floating table effect; these are fur sure the eye catchers' in my show.
If could be a wonderful and refreshing addition to all your can or card tooks.

Cu spok :

Thanks for watching my movie

Category

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Tag

Mark Con Park Stockies Mark Chicker Schools Stockies Unite Surveyor Box Stockies Mark Mark Stockies Tokke Barrowskies Mark Mark Stockies Control Stockies Tokke Tokke Tokke David Barrow Mark Mark Control Anadria Stockies Stockies Mark Tokke Tokke Stockies Stockies

License.

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tarr to be

Op 30-mrt.-2012, om 01:10 heeft gerard bakardy het volgende geschreven:

Goede..nacht Gunther,

Hopelijk gaat alles goed met je.

Met de grooste verontschuldiging wil ik je vragen, als het nog niet te laat is, de advertentie voorlopig op 'hold' te zetten.

Ik ben nog midden in onderhandeling met Teller, en wil deze nu niet in gevaar brengen. Waarschijnlijk komt er een goeie oplossing uit de bus.

Ik zal eventueel de truck moeten aanpassen om uit zijn 'copyright' te blijven. Dus de advertentie uiteraard ook.

Nogmaals mijn excuses, ik houd je op de hoogte!

Groetjes, Gerard.

ps. Kan je effe bevestigen aub.

Re: Dringend -ivm advertentie in Escamateur

Terug haar Berichten



Gunther Escamateur
 Aan gerard bakardy

4/04/2012 Beantwoorden •

Beste Gerard

Ik heb de advertentie niet ingelast en uiteindelijk maar goed ook vrees ik...want het verhaal heeft intussen een staartje gekregen.

gerard bakardy
 Aan Teller Penn & Teller

@ 23/03/2012 Beantwoorden •

1 bijlage (423,7 kB)

Hotmail Interactieve weergave 🦿



Shadow Roupdf Downloaden (423.7 kB)

Downloaden als zip

Good morning Mr. Teller,

I hope things are well.

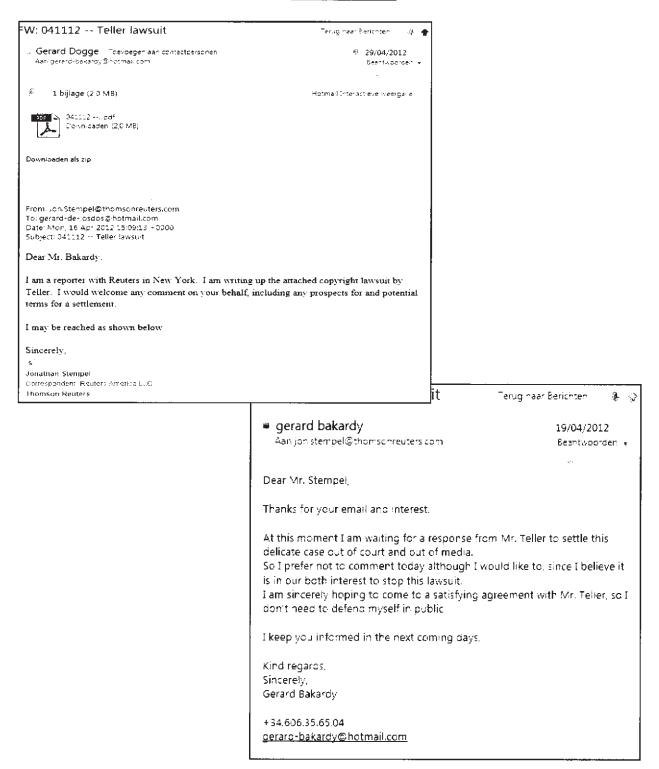
Thanks for your email with all these compliments; it is really a big honor for me to hear all this from such a famous magician.

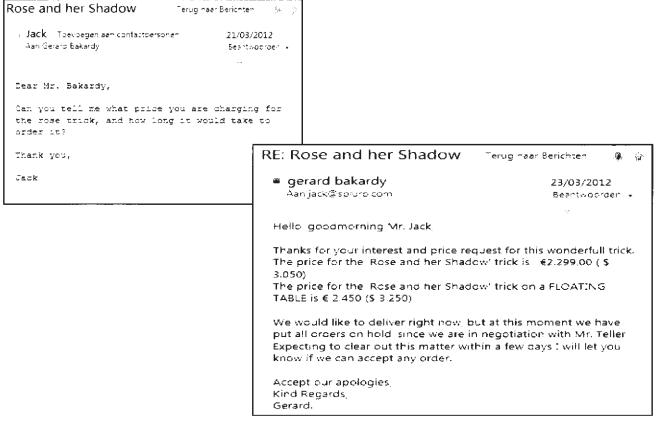
As I told you, I put all orders and advertisements on hold for now, and I was just in time to stop the edition for April.

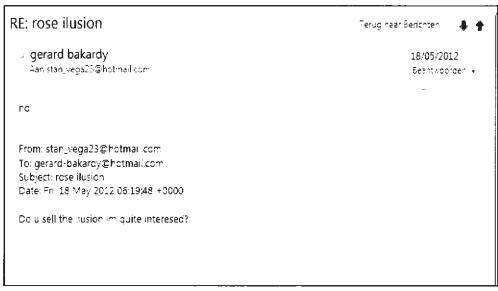
As you can see, also in the adv. (in attachment), my heart is just as yours very connected with this beautiful trick, and I believe the success of it is also in how it is treated, with love and respect.

Looking forward to your email, please accept my Kindest regards,

Gerard.









By now you may have heard this over the grapevine, as it were, but I felt it important for you to have news cirectly from me as quickly as possible.

Poss: 399
Loc: Dubtin Ireland

beta full view of a rose, and the actual leaves and petals full where the shadow of a rose, and the actual leaves and petals full where the shadow has been cut, it is the alaest piece in the active Penn & Teller repertoire, in continuous use in all our major runs from Broadway to International touring, to Las Vegas. It is an icon for our show and the piece I hope to be remembered by in magic history.

Licreated 'Shacows' in the mio-1970s, copyrighted it in 1983, and since then the magic community has shown me wonderful ethical support in allowing it to remain virtually untouched by copyists.

Unfortunately, a few weeks ago, i was alerted to a YouTube video of a man this name is Gerara Dogge, stage name Gerara Bakaray) selling equipment for emulating my piece. This was done without a single attempt to contact me, seek permission, or arrange a license careement.

I had my attorneys contact YouTube, and the videos were promptly taken down for copyright dispute. I contacted Gerard Bakeray/Dagge and let him know that my U.S. Copyright and E.U. Droit Moral entitlea me to take legal action for what he had posted. Lattempted to resolve the problem by discussion and negotiation, but he did not respond satisfactorily to that approach.

This forces me to exercise my rights as copyright holder, and file for copyright infringement on April 11, 2012 in U.S. Federal Court. For your information, I include a copy of the legal cocuments below. I hope we will not have to add contributory and vicarious infringers in the action should third parties attempt to aid the infringer in selling his infringing product.

If you have any questions, please feel free to reach out to me. I want to assure my friends and fans that we intend to enforce our rights rigorously. And if you become aware of any further infringement of my copyrighted work. I a be very, very grateful if you let me know at your earliest convenience.

If you should have anything to communicate pertaining to my suit, please use: $\frac{1}{2}$ shoots $\frac{1}{2}$ perm-teller.com

To view legal documents: http://www.magicnewzealana.com/emagicteller.gpf *

Brendan

News, Eectures, Societies & Magic in tretand www.l-ishMagicNews.com



Rodin Goothelash 2. Teller Suing Dutch Magician Gerard Dogge

Message by Teller (US)

By now you may have heard this over the grapevine, as it were, but I felt it important for you to have news directly from me as quickly as possible.

You may be acquainted with my signature piece, "Shadows," in which I slash the shadow of a rose, and the actual leaves and petals fall where the shadow has been cut. It is the oldest piece in the active Penn & Teller repertoire, in continuous use in all our major runs from Broadway to international touring, to Las Vegas. It is an icon for our show and the piece I hope to be remembered by in magic history.

I created "Shadows" in the mid-1970s, copyrighted it in 1983, and since then the magic community has shown me wonderful ethical support in allowing it to remain virtually untouched by copyists.

Unfortunately, a few weeks ago, I was alerted to a YonTube video of a man (his name is Gerard Dogge, stage name Gerard Bakardy) selling equipment for emulating my piece. This was done without a single attempt to contact me, seek permission, or arrange a license agreement.

I had my attorneys contact YouTube, and the videos were promptly taken down for copyright dispute. I contacted Gerard Bakardy/Dogge and let him know that my U.S. Copyright and E.U. Droit Moral entitled me to take legal action for what he had posted. I attempted to resolve the problem by discussion and negotiation, but he did not respond satisfactorily to that approach.

This forced me to exercise my rights as copyright holder, and file for copyright infringement on April 11, 2012 in U.S. Federal Court. For your information, I include a copy of the legal documents below. I hope we will not have to add contributory and vicatious infringers in the action should third parties attempt to aid the infringer in selling his infringing product.

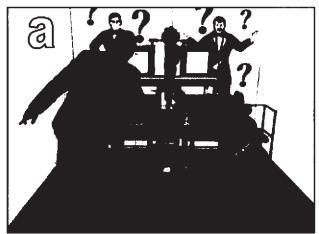
If you have any questions, please feel free to reach out to me. I want to assure my friends and fans that we intend to enforce our rights vigorously. And if you become aware of any further infringement of my copyrighted work. I'd be very, very grateful if you let me know at your earliest convenience.

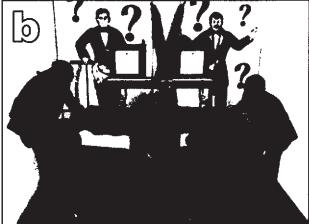
If you should have anything to communicate pertaining to my suit, please use: shadow@penn-teller.com

《馬爾斯★ 3

To view legal documents: http://www.magicnewzealand.com/email/teller.pdf

http://www.geniimagazine.com/forums/ubbthreads.php?ubb=showflat&Number=265094













Penn & Teller Trap Door See How It's Done YouTube

Alert icon. Sign in or sign up now! Alert icon. Loading... Uploaded by Lindasothervideos on May 8, 2009. Penn and Teller Trap Door. See how it's done. www.youtube.com/watch?v=004dSllaFrA - Vergelijkbaar

Penn and Teller on Just for Laughs - You Tube

26 Aug 2009 ... Penn and Teller perform their Blast Off / Trap Door routine at the Just for Laughs Festival in Montreal, sometime in the early '90s. This was on ... www.youtube.com/watch?v=df4TuhpSp6U - Verqelijkbaar

Muppets Tonight - Penn & Teller Blast Off - YouTube

20 May 2006 ... Penn & Teller make an appearance on Muppets Tonight. ... 2:01 pretty obvious it was trap doors. can see him closing something with his foot ... www.youtube.com/watch?v=vS5QnrpDXg0 - Vergelijkbaar

Trap Door (Illusion) You Tube

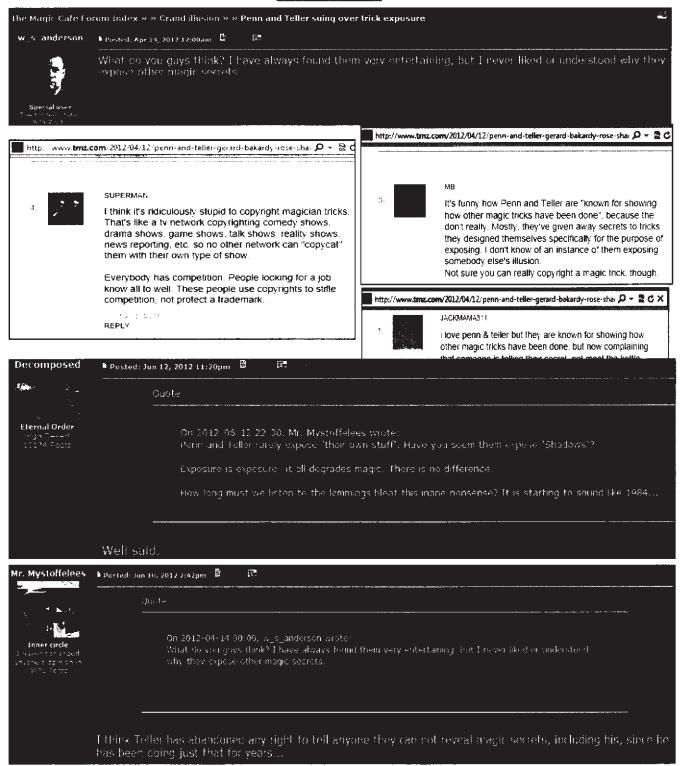
6 Apr 2009 ... Penn & Teller Trap Door See How It's Doneby Lindasothervideos38880 views

• Drew & Angela perform the 'Trapdoor' 2:45. Watch Later Error ...

www.youtube.com/watch?v=yJSCbGtGcio - Vergelijkbaar

Penn & Teller Trap Door - REVEALED - - The Card Trick Teacher

Penn & Teller Trap Door - REVEALED card trick video - on The Card Trick Teacher. ... Contests - Upload Videos - Teacher's Shop - YouTube Channel - Teacher's ... www.thecardtrickteacher.com/card-trick-video.php?v=5621 - Vergelijkbaar



Penn & Teller: Fool Us

From Wikipedia, the free encyclopedia

Penn & Teller: Fool Us was a British entertainment comedy television programme. Hosted by Jonathan Ross, Fool Us is a magic competition show, which challenges magicians to perform in front of American magician/comedian duo Penn & Teller. If they can fool Renn and Teller, they win a five-star trip to Las Vegas to perform as the opening act in Penn & Teller's world famous show at the Rio Hotel & Casino. It was announced on June 28 2012 that ITV has cancelled the show.

Contents [hide]

- 1 Production
- 2 Episode List
- 3 International Broadcast
- 4 International Versions
- 5 References
- 6 External links

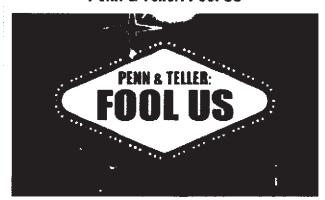
Production

The pilot of *Fool Us* was first commissioned by John Kaye Cooper, the controller of entertainment for ITV ^[4] The pilot aired on 7

[edit]

Judges

Penn & Teller: Fool Us

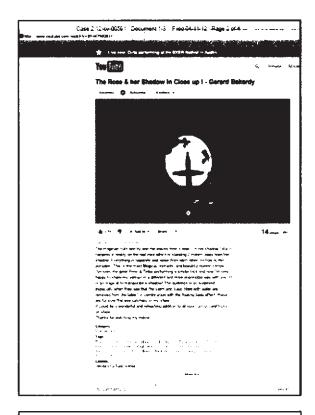


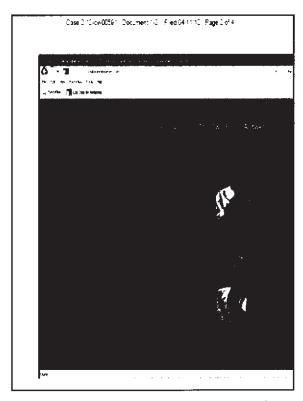
Title:	

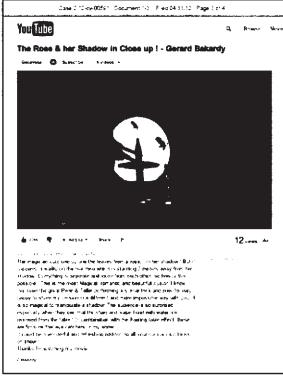
Also known as	Fool Us
Genre	Entertainment comedy
Format	Magic competition with live audience
Created by	Penn Jillette Teller Peter Adam Golden Andrew Golder
Presented by	Jonathan Ross
Starring	Penn Jiliette Teiler

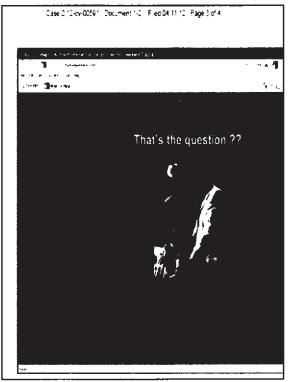
Penn Jillette

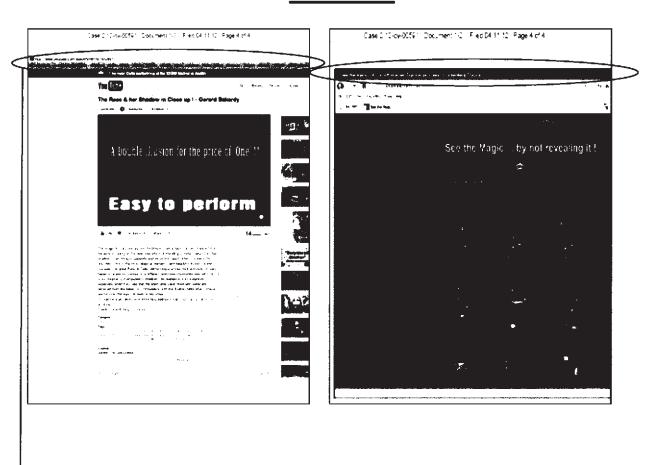
Teller



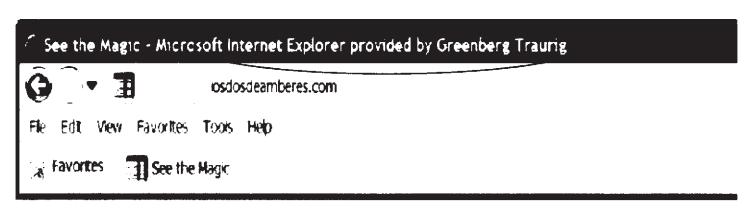




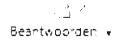








gerard bakardy
 Aan Teller Penn & Teller



Dear Mr. Teller.

On April 17th five sent you my careful thoughts without prejudice and asked you to explain what you mean by publishing my picture (exhibit 3 page 2 and 4) right under the toolbar from website links that I do not visit. When the whole world can see my name in the same picture with 'mantube', Corbin. CF Select. 2 Long,

I'm still waiting and hoping to hear some respect and good faith in your answer.

Regards.

Gerard

Teller Penn & Teller
 Aan gerard bakardy

24/04/2012
Beantwoorden •

Dear Gerard.

There is no injury to you and no actionable bases for objecting to documents filed with the United States Federal Court.

The screen shot was not made by you. It cannot be reasonably inferred that the sites you allude to are sites associated with you.

With all due respect, Gerard, you seem to be groping desperately for some shred of defense to your infringement and threat of future infringement.

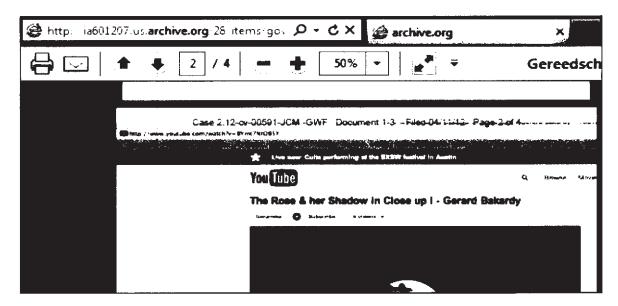
If you have realistic, good-faith proposals to offer for settling this matter out of court, please make them.

Otherwise, please stop wasting my time.

Respectfully,

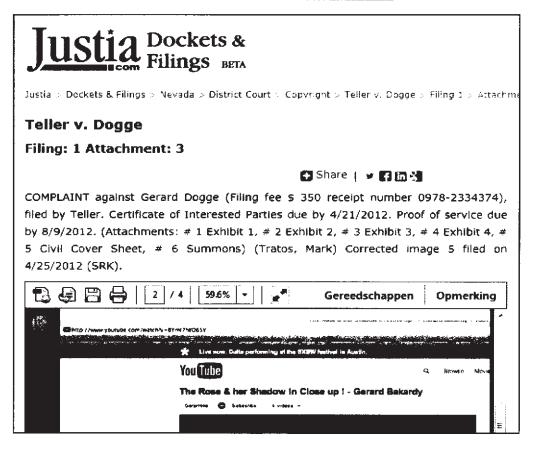
TELLER

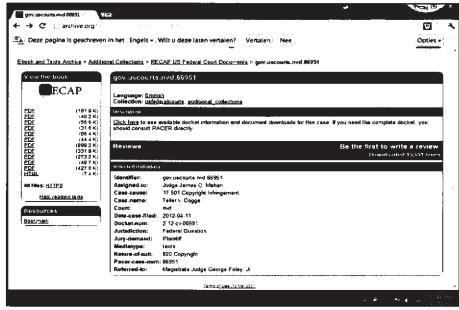
http://arstechnica.com/tech-policy/2012/04/silent-magician-teller-files-copyright-suit-over-stolen-shadow-trick/ ()



http://www.themagiccafe.com/forums/viewtopic.php?topic=462255&forum=7&24&start=0







Counter on 06/06/2012 ... 669.114.187.



Counter 5 day's later 11/06/2012 ... 671.126.063.



671.126.063 min 669.114.187 = 2.011.876 (in 5 day's !)

2.011.876 : 5 =

402.375 per day!



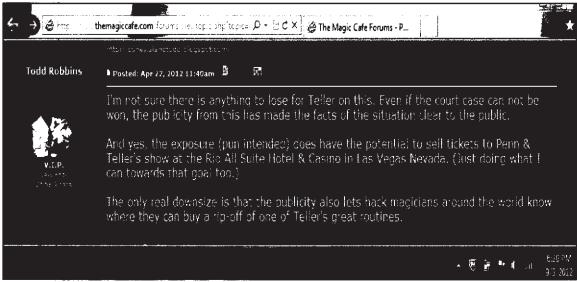
Counter on 6 juni 2012 : 669.114.187.

Counter on 18 oktober 2012 op : 715.818.003.

In 4 months: 46.703.816 'hits'

On this forum only!





FrontPage

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

CASE N° 2:12-cv-00591-JCM-GWF

Exhibit 1 – 29

DEFENSE

for and by

Gerard Dogge - Gerard Bakardy